



Administrative Report

N.1., File # 25-1472

Meeting Date: 10/21/2025

To: MAYOR AND CITY COUNCIL

From: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR

TITLE

DISCUSSION AND POSSIBLE ACTION REGARDING UPDATED DRAFT ORDINANCE LANGUAGE PERTAINING TO SMOKE SHOP REGULATIONS

PROVIDE DIRECTION ON THE FINAL ORDINANCE LANGUAGE AND SET NOVEMBER 18, 2025 AS THE DATE FOR A PUBLIC HEARING TO CONSIDER INTRODUCTION AND FIRST READING OF THE PROPOSED ORDINANCE

EXECUTIVE SUMMARY

On April 15, 2025, the City Council reviewed the initial draft Smoke Shop Ordinance and provided policy direction. Subsequently, on July 17, 2025, the Planning Commission reviewed the draft ordinance and adopted a resolution recommending approval with modifications. A revised draft incorporating the Planning Commission's recommendations was presented to the City Council for discussion on August 19, 2025. At that meeting, the City Council directed staff to make additional changes. Staff has since prepared updated draft language reflecting those modifications, which is now submitted for City Council review ahead of the ordinance's first reading, which is recommended for scheduling on November 18, 2025.

BACKGROUND

Below is a summary of the modifications requested by the City Council at the August 19, 2025, meeting, along with staff responses detailing how each item has been addressed:

- *Cap the maximum number of smoke shops at five.*
 - Response: The previous draft of the ordinance allowed existing legal nonconforming smoke shops to continue operating for five years following its adoption, after which the number would be reduced to ten and regulated through the Conditional Use Permit (CUP) process. At the last meeting, the City Council directed that the initial cap be lowered from ten to five. The updated draft ordinance language has been revised to allow a maximum of five CUPs during the five-year period.
- *More clearly define "ancillary sales" and evaluate whether existing businesses can comply with the allowed sales by floor area for tobacco products.*
 - Response: The original version of the ordinance allowed "two percent of the gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco." Staff

performed site visits to various retailers throughout the City that sell tobacco as an ancillary use and found that the majority rely on vertical wall space rather than floor space for product display and sales, which, on average, occupied between 20 and 50 square feet. Based on these findings, the definition has been modified to limit the vertical display area that can be used for the sale and marketing of tobacco products to a maximum of 50 square feet, and floor space to no more than one percent of the gross floor area. An additional provision has been added authorizing the Community Development Director to require reductions or approve minor increases in display areas, provided that the sale and display of tobacco products remain ancillary to the primary use. A side-by-side comparison of the original and revised definitions is included as an attachment to this report.

- *Make the following additional modifications: (1) Amend the definition of e-cigarette as presented at the City Council meeting; (2) Amend the buffer requirements to require a minimum distance of 600 feet between smoke shops, and at least 600 feet from high schools and youth centers; (3) Amend the definition of "Youth Center" as presented at the City Council meeting; (4) Remove references to cannabis from the definitions section; (5) Add "Hookah Lounge" in the exemption that applies to a Smokers' Lounge; and (6) Remove the prescriptive standards related to hours of operation.*
 - **Response:** The above-listed modifications have been incorporated into the updated draft ordinance language, which is included as an attachment to this report.

In addition to the modifications referenced above, staff conferred with the City Attorney's Office on additional amendments that clarify procedural requirements and establish cross-references to other relevant sections of the Redondo Beach Municipal Code (RBMC), including Title 5, Chapter 9, Article 2, which requires a Tobacco Retailer License. A subsection of Title 5, Chapter 9, Article 2 has also been incorporated into the updated draft Ordinance to include regulations aimed at preventing underage smoking.

COORDINATION

This report was prepared by the Community Development Department in coordination with the City Attorney's Office and the City Manager's Office.

FISCAL IMPACT

Preparation of this report and the proposed Ordinance is part of the Community Development Department's annual work plan and operating budget. There is no additional fiscal impact.

APPROVED BY:

Mike Witzansky, City Manager

ATTACHMENTS

- Draft Ordinance Text Amendments
- Ancillary Sales Definitions